

JOURNAL OF THE HOUSE

NINETY-FIRST SESSION

EIGHTEENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Tuesday, February 9, 2016

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Sarah Goldammer, followed by the Pledge of Allegiance led by House pages Brigita Rasmussen and Mindy Ravnaas.

Roll Call: All members present except Reps. Kaiser and Russell who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the seventeenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Dean Wink, Chair

Which motion prevailed.

COMMUNICATIONS AND PETITIONS

February 9, 2016

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on February 8, 2016, I approved House Bills 1026, 1028, and 1032, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The House Committee on Appropriations respectfully reports that it has had under consideration HB 1182 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,
Justin R. Cronin, Chair

Also MR. SPEAKER:

The Committee on Agriculture and Natural Resources respectfully reports that it has had under consideration HB 1094 and returns the same with the recommendation that said bill be amended as follows:

1094fa

On page 2, line 8, of the printed bill, delete everything after "fertilizer-related" and insert ", nutrient-related, and water quality-related research".

On page 2, line 15, delete "and nutrient-related" and insert ", nutrient-related, and water quality-related".

On page 2, line 19, delete "three" and insert "two".

On page 2, line 20, after "organizations," insert "one representing the state's largest commodity organization,".

1 On page 3, line 15, after "nutrient research" insert ", water quality research,".

2 And that as so amended said bill do pass.

3 Also MR. SPEAKER:

4 The Committee on Agriculture and Natural Resources respectfully reports that it has had
5 under consideration HB 1185 which was tabled.

6 Respectfully submitted,
7 Joshua Klumb, Vice-Chair

8 Also MR. SPEAKER:

9 The Committee on Health and Human Services respectfully reports that it has had under
10 consideration HB 1110 and returns the same with the recommendation that said bill do pass.

11 Respectfully submitted,
12 Scott Munsterman, Chair

13 Also MR. SPEAKER:

14 The Committee on Retirement Laws respectfully reports that it has had under consideration
15 SB 13 and 15 and returns the same with the recommendation that said bills do pass.

16 Also MR. SPEAKER:

17 The Committee on Retirement Laws respectfully reports that it has had under consideration
18 SB 14 and returns the same with the recommendation that said bill do pass and be placed on the
19 consent calendar.

Respectfully submitted,
Jim Bolin, Chair

22 Also MR. SPEAKER:

23 The Committee on Taxation respectfully reports that it has had under consideration
24 HB 1160 and 1172 which were deferred to the 41st Legislative Day.

Respectfully submitted,
Roger D. Solum, Chair

1 Also MR. SPEAKER:

2 The Joint Committee on Appropriations respectfully reports that it has had under
3 consideration HB 1081 and returns the same with the recommendation that said bill be amended
4 as follows:

5 1081na

6 On page 1, between lines 12 and 13 of the printed bill, insert:

7 " Section 4. That § 10-18A-5 be amended to read:

8 10-18A-5. The amount of refund of real property taxes due or paid for a single-member
9 household made pursuant to this chapter shall be according to the following schedule:

10	If household income is	but less than	The refund of real property taxes due or paid shall be
11	more than:	but less than	
12	\$ 0	\$5,420 <u>5,630</u>	35%
13	5,421 <u>5,631</u>	5,680 <u>5,890</u>	34%
14	5,681 <u>5,891</u>	5,940 <u>6,150</u>	33%
15	5,941 <u>6,151</u>	6,200 <u>6,410</u>	32%
16	6,201 <u>6,411</u>	6,460 <u>6,670</u>	31%
17	6,461 <u>6,671</u>	6,720 <u>6,930</u>	30%
18	6,721 <u>6,931</u>	6,980 <u>7,190</u>	29%
19	6,981 <u>7,191</u>	7,240 <u>7,450</u>	28%
20	7,241 <u>7,451</u>	7,500 <u>7,710</u>	27%
21	7,501 <u>7,711</u>	7,760 <u>7,970</u>	26%
22	7,761 <u>7,971</u>	8,020 <u>8,230</u>	25%
23	8,021 <u>8,231</u>	8,280 <u>8,490</u>	24%
24	8,281 <u>8,491</u>	8,540 <u>8,750</u>	23%
25	8,541 <u>8,751</u>	8,800 <u>9,010</u>	22%
26	8,801 <u>9,011</u>	9,060 <u>9,270</u>	21%
27	9,061 <u>9,271</u>	9,320 <u>9,530</u>	20%
28	9,321 <u>9,531</u>	9,580 <u>9,790</u>	19%

1	9,581 <u>9,791</u>	9,840 <u>10,050</u>	18%
2	9,841 <u>10,051</u>	10,100 <u>10,310</u>	17%
3	10,101 <u>10,311</u>	10,360 <u>10,570</u>	16%
4	10,361 <u>10,571</u>	10,620 <u>10,830</u>	15%
5	10,621 <u>10,831</u>	10,880 <u>11,090</u>	14%
6	10,881 <u>11,091</u>	11,140 <u>11,350</u>	13%
7	11,141 <u>11,351</u>	11,400 <u>11,610</u>	12%
8	11,401 <u>11,611</u>	11,670 <u>11,880</u>	11%
9	over 11,670 <u>11,880</u>		No refund

10 Section 5. That § 10-18A-6 be amended to read:

11 10-18A-6. The amount of refund of real property taxes due or paid for a multiple-member
 12 household made pursuant to this chapter shall be according to the following schedule:

			The refund of real property taxes due or paid shall be
13	If household income is		
14	more than:	but not more than	
15	\$ 0	\$9,230 <u>9,520</u>	55%
16	9,231 <u>9,521</u>	9,591 <u>9,881</u>	53%
17	9,592 <u>9,882</u>	9,952 <u>10,242</u>	51%
18	9,953 <u>10,243</u>	10,313 <u>10,603</u>	49%
19	10,314 <u>10,604</u>	10,674 <u>10,964</u>	47%
20	10,675 <u>10,965</u>	11,035 <u>11,325</u>	45%
21	11,036 <u>11,326</u>	11,396 <u>11,686</u>	43%
22	11,397 <u>11,687</u>	11,757 <u>12,047</u>	41%
23	11,758 <u>12,048</u>	12,118 <u>12,408</u>	39%
24	12,119 <u>12,409</u>	12,479 <u>12,769</u>	37%
25	12,480 <u>12,770</u>	12,840 <u>13,130</u>	35%
26	12,841 <u>13,131</u>	13,201 <u>13,491</u>	33%
27	13,202 <u>13,492</u>	13,562 <u>13,852</u>	31%
28	13,563 <u>13,853</u>	13,923 <u>14,213</u>	29%

1	13,924 <u>14,214</u>	14,284 <u>14,574</u>	27%
2	14,285 <u>14,575</u>	14,645 <u>14,935</u>	25%
3	14,646 <u>14,936</u>	15,006 <u>15,296</u>	23%
4	15,007 <u>15,297</u>	15,367 <u>15,657</u>	21%
5	15,368 <u>15,658</u>	15,730 <u>16,020</u>	19%
6	over 15,730 <u>16,020</u>		No refund

7 Section 6. That § 10-45A-5 be amended to read:

8 10-45A-5. The amount of any claim made pursuant to this chapter by a claimant from a
9 household consisting solely of one person shall be determined as follows:

- 10 (1) If the claimant's income is ~~five thousand four hundred twenty~~ five thousand six
11 hundred thirty dollars or less, a sum of two hundred fifty-eight dollars;
- 12 (2) If the claimant's income is ~~five thousand four hundred twenty-one~~ five thousand six
13 hundred thirty dollars and not more than ~~eleven thousand six hundred seventy eleven~~
14 thousand eight hundred eighty dollars, a sum of forty-six dollars plus three and four-
15 tenths percent of the difference between ~~eleven thousand six hundred seventy eleven~~
16 thousand eight hundred eighty dollars and the income of the claimant; and
- 17 (3) If the claimant's income is more than ~~eleven thousand six hundred seventy eleven~~
18 thousand eight hundred eighty dollars, no refund.

19 Section 7. That § 10-45A-6 be amended to read:

20 10-45A-6. The amount of any claim made pursuant to this chapter by a claimant from a
21 household consisting of more than one person shall be determined as follows:

- 22 (1) If household income is ~~nine thousand two hundred thirty~~ nine thousand five hundred
23 twenty dollars or less, the sum of five hundred eighty-one dollars;
- 24 (2) If household income is ~~nine thousand two hundred thirty-one~~ nine thousand five
25 hundred twenty dollars and not more than ~~fifteen thousand seven hundred thirty~~
26 sixteen thousand twenty dollars, a sum of seventy-four dollars plus seven and eight-
27 tenths percent of the difference between ~~fifteen thousand seven hundred thirty~~ sixteen
28 thousand twenty dollars and total household income; and
- 29 (3) If household income is more than ~~fifteen thousand seven hundred thirty~~ sixteen
30 thousand twenty dollars, no refund.".

1 1081nta

2 On page 1, line 2, of the printed bill, after "disability" insert ", to revise the income
3 eligibility requirements for property and sales tax refunds,".

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Joint Committee on Appropriations respectfully reports that it has had under
7 consideration HB 1170 and returns the same with the recommendation that said bill be amended
8 as follows:

9 1170na

10 On page 1, after line 13 of the printed bill, insert:

11 " Section 4. Whereas, this Act is necessary for the support of the state government and its
12 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
13 full force and effect from and after its passage and approval.".

14 1170nta

15 On page 1, line 3, of the printed bill, after "program" insert "and to declare an emergency".

16 And that as so amended said bill do pass.

17 Respectfully submitted,
18 Justin R. Cronin, Co-Chair

19 Also MR. SPEAKER:

20 The Committee on Transportation respectfully reports that it has had under consideration
21 HB 1188 and returns the same with the recommendation that said bill do pass and be placed on
22 the consent calendar.

23 Also MR. SPEAKER:

24 The Committee on Transportation respectfully reports that it has had under consideration
25 HB 1164 and returns the same with the recommendation that said bill be amended as follows:

1164ob

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That chapter 32-5 be amended by adding a NEW SECTION to read:

Any person who is a resident of this state and is the owner of a special interest motor vehicle may apply to the county treasurer of the applicant's county of residence for a special interest motor vehicle license plate. The application shall be on a form prescribed by the secretary and is in addition to any other forms required by this chapter. The applicant shall meet all of the requirements in section 4 of this Act and pay any applicable fees in order to receive a special interest motor vehicle license plate.

For purposes of this Act, a special interest motor vehicle is a vehicle that is collected, preserved, restored, or maintained by the owner as a leisure pursuit and is not used for general or commercial transportation. The special interest motor vehicle license plate may be placed on any automobile, pickup, truck, or van licensed pursuant to § 32-5-6 that qualifies as a special interest motor vehicle.

Section 2. That chapter 32-5 be amended by adding a NEW SECTION to read:

The special interest motor vehicle plate shall be issued in place of the regular plates issued pursuant to § 32-5-85. The special interest motor vehicle plate shall be numbered and designed by the secretary to be visibly distinct from regular noncommercial license plates. The special interest motor vehicle plate shall be reflectorized and validated with a decal each year in the same manner as noncommercial license plates. Notwithstanding the requirements of § 32-5-98, a vehicle for which a special interest motor vehicle license plate is issued is not required to display a number plate on the front of the vehicle. The special interest motor vehicle license plate shall be securely fastened to the rear of the special interest motor vehicle in a horizontal and upright position.

Section 3. That chapter 32-5 be amended by adding a NEW SECTION to read:

In addition to the noncommercial annual registration fees, each applicant for a special interest motor vehicle license plate shall pay an annual twenty-five dollar fee. All fees collected pursuant to this section shall be credited to the license plate special revenue fund.

Section 4. That chapter 32-5 be amended by adding a NEW SECTION to read:

An application for a special interest motor vehicle license plate, as provided for in section 1 of this Act, shall include a signed affidavit wherein the applicant attests to the following:

- (1) The motor vehicle for which the special interest motor vehicle license plate is sought is driven less than six thousand miles per year;
- (2) The motor vehicle for which the special interest motor vehicle license plate is sought is not used for general or commercial transportation, but rather for occasional transportation, public displays, parades, and related pleasure or hobby activities; and

(3) The current reading on the odometer of the special interest motor vehicle.

The secretary may, at any time, require an applicant to provide additional information to determine if the applicant meets the special interest motor vehicle license plate requirements.

An applicant shall annually, at the time of registration renewal, submit the current odometer reading of the special interest motor vehicle. If an applicant fails to provide this information the registration may not be renewed.

Section 5. That chapter 32-5 be amended by adding a NEW SECTION to read:

If an applicant misuses the special interest motor vehicle license plate by not adhering to the special interest motor vehicle license plate requirements, that applicant shall surrender to the department all special interest motor vehicle license plates in his or her possession and is not eligible for a special interest motor vehicle plate for a period of three years.

Section 6. That § 32-5-67 be amended to read:

32-5-67. All fees received pursuant to §§ 32-5-42, 32-5-42.2, 32-5-65, 32-5-65.1, 32-5-159, ~~and 32-5-160, and this Act~~ shall be credited to a fund to be known as the license plate special revenue fund. The special revenue fund shall be expended for the purchase of special plates required pursuant to this chapter and the expenses of the office incident to the issuance thereof. Disbursements from this fund shall be made by warrants drawn by the state auditor on vouchers duly approved by the secretary."

1164ota

On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "provide for a special interest motor vehicle license plate for certain vehicles under certain conditions.".

On page 1, delete line 2.

And that as so amended said bill do pass.

Also MR. SPEAKER:

The Committee on Transportation respectfully reports that it has had under consideration HB 1184 which was tabled.

Respectfully submitted,
Mike Verchio, Chair

1 Also MR. SPEAKER:

2 The Committee on Local Government respectfully reports that it has had under
3 consideration HB 1108 and 1117 and returns the same with the recommendation that said bills
4 do pass and be placed on the consent calendar.

5 Also MR. SPEAKER:

6 The Committee on Local Government respectfully reports that it has had under
7 consideration HB 1119 and returns the same with the recommendation that said bill be amended
8 as follows:

9 1119ya

10 On the printed bill, delete everything after the enacting clause and insert:

11 " Section 1. That § 9-3-1 be amended to read:

12 9-3-1. ~~No municipality shall be incorporated which contains less than one hundred legal~~
13 ~~residents or less than thirty voters. A municipality may not be incorporated unless it contains~~
14 ~~as least one hundred legal residents and at least forty-five registered voters. For the purposes of~~
15 ~~this section, a person is a legal resident in the proposed municipality if the person actually lives~~
16 ~~in the proposed municipality for at least ninety days or is an active duty member of the armed~~
17 ~~forces whose home of record is within the proposed municipality.~~

18 Section 2. That § 9-3-1.1 be amended to read:

19 9-3-1.1. ~~No~~ A municipality may not be incorporated if any part of such proposed
20 municipality lies within three miles of any point on the perimeter of the corporate limits of any
21 incorporated municipality, unless the incorporated municipality refuses or fails to annex a
22 territory which is contiguous to said incorporated municipality, and said contiguous territory has
23 properly petitioned said municipality to be annexed thereto, as provided by § 9-4-1. However,
24 a proposed municipality may be incorporated that is within three miles of an incorporated
25 municipality if the territory to be incorporated is in a different county and has a post office prior
26 to incorporation.

27 Section 3. That § 9-3-2 be amended to read:

28 9-3-2. Persons making application for the organization of a proposed municipality shall first
29 cause an accurate survey and map to be made of the territory intended to be embraced within
30 the limits of ~~such~~ the proposed municipality showing the boundaries and area thereof and the
31 accuracy of which shall be verified by the affidavit of the surveyor.

32 Section 4. That § 9-3-3 be amended to read:

33 9-3-3. Any person making application for the organization of a proposed municipality shall
34 cause an accurate census to be taken of the landowners and the legal resident population of the

1 proposed municipality not more than thirty days previous to the time of presenting the
2 application to the board of county commissioners. The census shall exhibit the name of each
3 landowner and ~~person~~ legal resident residing in the proposed municipality and the number of
4 persons belonging to each family as of a certain date. The census shall be verified by the
5 affidavit of the person taking the census.

6 Section 5. That § 9-3-4 be amended to read:

7 9-3-4. Such survey, map, and census when completed and verified shall be left at some
8 convenient place within ~~such territory~~ the proposed municipality for a period of not less than
9 thirty days for examination by those having an interest in such application.

10 Section 6. That § 9-3-5 be amended to read:

11 9-3-5. The application for incorporation of a proposed municipality shall be by a petition
12 verified by the circulator and signed by not less than twenty-five percent of the qualified voters
13 who are either registered voters in the proposed municipality or landowners in the proposed
14 municipality who are also registered voters of this state. The application shall identify the type
15 of government to be formed, the number of trustees, commissioners, or wards in the proposed
16 municipality, the boundaries and area according to the survey, and the legal resident population
17 according to the census taken. The application shall be presented at the time indicated in the
18 notice of the application or as soon thereafter as the board of county commissioners can receive
19 and consider the application."

20 And that as so amended said bill do pass.

21 Respectfully submitted,
22 Kristin A. Conzet, Chair

23 MESSAGES FROM THE SENATE

24 MR. SPEAKER:

25 I have the honor to return herewith HB 1036 and 1037 which have passed the Senate
26 without change.

27 Also MR. SPEAKER:

28 I have the honor to return herewith HCR 1006 in which the Senate has concurred.

29 Also MR. SPEAKER:

30 I have the honor to return herewith HCR 1005 which has been amended by the Senate and
31 your concurrence in the amendments is respectfully requested.

1 Also MR. SPEAKER:

2 I have the honor to transmit herewith SB 58, 64, 71, 73, 79, 80, 90, and 102 which have
3 passed the Senate and your favorable consideration is respectfully requested.

4 Respectfully,
5 Kay Johnson, Secretary

6 **MOTIONS AND RESOLUTIONS**

7 HCR 1011: A CONCURRENT RESOLUTION, Opposing the recent actions of the EPA
8 and the President with regards to the Waters of the United States federal rule and applauding
9 the South Dakota congressional delegates who opposed such actions.

10 Rep. Qualm moved that HCR 1011 as found on page 320 of the House Journal be adopted.

11 The question being on Rep. Qualm's motion that HCR 1011 be adopted.

12 And the roll being called:

13 Yeas 61, Nays 6, Excused 3, Absent 0

14 Yeas:

15 Anderson; Bartling; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;
16 Dryden; Duvall; Feickert; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard;
17 Hawks; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Klumb;
18 Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten
19 (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Romkema; Rounds; Rozum;
20 Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Solum; Stalzer; Steinhauer; Stevens;
21 Tulson; Verchio; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

22 Nays:

23 Gibson; Hawley; Killer; Kirschman; Ring; Soli

24 Excused:

25 Bordeaux; Kaiser; Russell

26 So the motion having received an affirmative vote of a majority of the members-elect, the
27 Speaker declared the motion carried and HCR 1011 was adopted.

HCR 1012 Introduced by: Representatives Marty, Brunner, DiSanto, Haugaard, Holmes, May, Russell, and Verchio and Senators Olson, Greenfield (Brock), Holien, and Jensen (Phil)

A CONCURRENT RESOLUTION, Requesting the South Dakota congressional delegation to introduce legislation to compensate private landowners for fire damage caused by the United States Forest Service.

WHEREAS, on April 3, 2013, the United States Forest Service lost control of the pautre fire in Perkins County, South Dakota; and

WHEREAS, private property valued at millions of dollars was destroyed; and

WHEREAS, on April 13, 2015, the United States Park Service lost control of the cold brook fire in Wind Cave National Park, which burned 5,420 acres more than the planned 1,000 acres, and threatened private property adjacent to the park; and

WHEREAS, the federal government has denied any liability for the private property damaged by these fires:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Ninety-First Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature respectfully requests that South Dakota's congressional delegation introduce legislation to compensate the private landowners that have endured property and monetary damages as a result of the pautre and cold brook escaped fires.

Was read the first time and the Speaker waived the committee referral.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Gosch moved that the reports of the Standing Committees on

State Affairs on HB 1157 as found on page 310 of the House Journal; also

State Affairs on HB 1207 as found on page 310 of the House Journal; also

Education on HB 1136 as found on page 312 of the House Journal; also

Education on HB 1169 as found on page 317 of the House Journal be adopted.

Which motion prevailed.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 58: FOR AN ACT ENTITLED, An Act to revise certain restrictions for the use of night-vision equipment for hunting under certain conditions.

Was read the first time and referred to the Committee on Agriculture and Natural Resources.

SB 64: FOR AN ACT ENTITLED, An Act to revise the voting authority of an alderman.

Was read the first time and referred to the Committee on Local Government.

SB 71: FOR AN ACT ENTITLED, An Act to revise the provisions regarding the issuance of small game licenses and fishing licenses to certain veterans at reduced fees and to revise certain provisions regarding special pheasant hunts for disabled veterans.

Was read the first time and referred to the Committee on Agriculture and Natural Resources.

SB 73: FOR AN ACT ENTITLED, An Act to clarify certain provisions regarding open meetings.

Was read the first time and referred to the Committee on State Affairs.

SB 79: FOR AN ACT ENTITLED, An Act to expand the list of professionals authorized to perform certain examinations required for a plea of guilty but mentally ill.

Was read the first time and referred to the Committee on Judiciary.

SB 80: FOR AN ACT ENTITLED, An Act to limit certain liability for hosts of fishing tournaments.

Was read the first time and referred to the Committee on Agriculture and Natural Resources.

SB 90: FOR AN ACT ENTITLED, An Act to ensure that members of the public are able to access and record public meetings.

Was read the first time and referred to the Committee on Local Government.

1 SB 102: FOR AN ACT ENTITLED, An Act to allow certain alcoholic beverage licenses
2 and special event alcoholic beverage licenses to be issued on certain lands and facilities located
3 on state educational institution campuses.

4 Was read the first time and referred to the Committee on Education.

5 **SECOND READING OF CONSENT CALENDAR ITEMS**

6 Rep. Stevens requested that HB 1208 be removed from the Consent Calendar.

7 Which request was granted.

8 Rep. Mickelson requested that HB 1187 be removed from the Consent Calendar.

9 Which request was granted.

10 HB 1183: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
11 jurisdiction of magistrate courts to issue protection orders.

12 Was read the second time.

13 The question being "Shall HB 1183 pass as amended?"

14 And the roll being called:

15 Yeas 67, Nays 0, Excused 3, Absent 0

16 Yeas:

17 Anderson; Bartling; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;
18 Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don); Harrison;
19 Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
20 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
21 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
22 Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
23 Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik; Willadsen;
24 Wollmann; Zikmund; Speaker Wink

25 Excused:

26 Bordeaux; Kaiser; Russell

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 Speaker declared the bill passed and the title was agreed to.

1 Nays:

2 Bartling; Bordeaux; Dryden; Gibson; Hawks; Hawley; Holmes; Hunhoff (Jean); Johns; Killer;
3 Kirschman; McCleerey; Otten (Herman); Ring; Romkema; Rounds; Rozum; Schoenfish;
4 Schrempp; Sly; Soli; Werner; Speaker Wink

5 Excused:

6 Kaiser; Russell

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 Speaker declared the bill passed.

9 The question being on the title.

10 1112yta

11 Rep. Solum moved that the title to HB 1112 be amended as follows:

12 On page 1, line 3, of the House State Affairs Committee engrossed bill, delete everything
13 after "of" and insert "any association recognized under chapter 13-36."

14 Which motion prevailed and the title was so amended.

15 HB 1051: FOR AN ACT ENTITLED, An Act to prohibit the use of certain automated sales
16 suppression devices and to provide penalties for their use.

17 Having had its second reading was up for consideration and final passage.

18 The question being "Shall HB 1051 pass?"

19 And the roll being called:

20 Yeas 68, Nays 0, Excused 2, Absent 0

21 Yeas:

22 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
23 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
24 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
25 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
26 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
27 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp;
28 Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
29 Willadsen; Wollmann; Zikmund; Speaker Wink

30 Excused:

31 Kaiser; Russell

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 HB 1125: FOR AN ACT ENTITLED, An Act to limit the ability of a person to obtain a
4 concealed pistol permit related to the restoration of civil rights and to declare an emergency.

5 Was read the second time.

6 The question being "Shall HB 1125 pass as amended?"

7 And the roll being called:

8 Yeas 68, Nays 0, Excused 2, Absent 0

9 Yeas:

10 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
11 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);
12 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
13 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
14 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
15 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp;
16 Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
17 Willadsen; Wollmann; Zikmund; Speaker Wink

18 Excused:

19 Kaiser; Russell

20 So the bill having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill passed and the title was agreed to.

22 HB 1138: FOR AN ACT ENTITLED, An Act to revise provisions related to the enhanced
23 permit to carry a concealed pistol.

24 Was read the second time.

25 The question being "Shall HB 1138 pass as amended?"

26 And the roll being called:

27 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
4 Harrison; Haugaard; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt;
5 Jensen (Alex); Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp;
8 Sly; Soli; Solum; Stalzer; Steinhauer; Stevens; Tulson; Verchio; Werner; Westra; Wiik;
9 Willadsen; Wollmann; Zikmund; Speaker Wink

10 Excused:

11 Kaiser; Russell

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1091: FOR AN ACT ENTITLED, An Act to establish certain requirements regarding
15 insurance for vehicles used to provide rides for a transportation network company and to exempt
16 drivers and vehicles used to provide these rides from certain commercial licensing requirements.

17 Was read the second time.

18 The question being "Shall HB 1091 pass as amended?"

19 And the roll being called:

20 Yeas 66, Nays 2, Excused 2, Absent 0

21 Yeas:

22 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;
23 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);
24 Harrison; Hawks; Hawley; Heinemann (Leslie); Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);
25 Johns; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;
26 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;
27 Ring; Romkema; Rounds; Rozum; Schaefer; Schoenbeck; Schoenfish; Schrempp; Sly; Soli;
28 Solum; Stalzer; Steinhauer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;
29 Zikmund; Speaker Wink

30 Nays:

31 Haugaard; Verchio

32 Excused:

33 Kaiser; Russell

34 So the bill having received an affirmative vote of a majority of the members-elect, the
35 Speaker declared the bill passed.

1 The question being on the title.

2 1091ota

3 Rep. Rounds moved that the title to HB 1091 be amended as follows:

4 On page 1, line 2, of the House Commerce and Energy Committee engrossed bill, delete
5 "drivers".

6 On page 1, line 3, delete "and".

7 Which motion prevailed and the title was so amended.

8 Rep. Gosch moved that the balance of the calendar including HB 1064, 1202, 1080, and
9 1135 and SB 10, 11, 17, 18, 68, 27, 28, 2, and 12 be deferred to Wednesday, February 10, the
10 19th legislative day.

11 Which motion prevailed.

12 There being no objection, the House reverted to Order of Business No. 5.

13 **REPORTS OF STANDING COMMITTEES**

14 MR. SPEAKER:

15 The Committee on Legislative Procedure respectfully reports that HB 1003, 1016, 1034,
16 1035, 1049, 1050, 1052, and 1057 were delivered to his Excellency, the Governor, for his
17 approval at 9:35 a.m., February 9, 2016.

18 Also MR. SPEAKER:

19 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
20 and Enrolling has carefully compared HB 1036, 1037, and 1058 and finds the same correctly
21 enrolled.

22 Respectfully submitted,
23 Dean Wink, Chair

SIGNING OF BILLS

1

2

The Speaker publicly read the title to

3

4

HB 1036: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning campaign finance requirements.

5

6

HB 1037: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning petitions for initiated constitutional amendments, initiated measures, and candidates.

7

8

HB 1058: FOR AN ACT ENTITLED, An Act to revise the procedure for recovery of abandoned mineral interests.

9

And signed the same in the presence of the House.

10

11

Rep. Anderson moved that the House do now adjourn, which motion prevailed and at 3:29 p.m. the House adjourned.

12

Arlene Kvislen, Chief Clerk

